

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: STEPHEN JUSTIN DAVIS : **Chapter 13**
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Debtor : **Bky. No. 19-10424-MDC**

**NOTICE OF OBJECTION TO CLAIM OF
EXEMPTION AND HEARING DATE**

TO: Great Valley School District (Claim No. 13-1)

Debtor, Stephen Justin Davis, has filed an objection to your claim of exemption in this bankruptcy case.

- 1. Your claim of exemption may be eliminated or changed by the court because an objection has been filed. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney).**
- 2. If you do not want the court to eliminate or change your claim of exemption, or if you want the court to consider your views, you or your lawyer must attend the hearing on the objection, scheduled to be held on October 3, 2019, at 11:00 am, in Courtroom 2, United States Bankruptcy Court 900 Market Street, Suite 400, Philadelphia, PA 19107.**

Dated: August 14, 2019.

/s/ Stephen Justin Davis
Pro Se Debtor
Email: sjustindavis@yahoo.com

PROOF OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail on August 14, 2019 to: Chapter 13 Trustee; and Creditor.

/s/ Stephen Justin Davis

Pro Se Debtor

Email: sjustindavis@yahoo.com

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: STEPHEN JUSTIN DAVIS	:	Chapter 13
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Debtor	:	Bky. No. 19-10424-MDC

MOTION OBJECTING TO PROOF OF CLAIM

Debtor, Stephen Justin Davis, objects to the proof of claim filed in this case by PennyMac Loan Services, LLC and in states:

1. This case was commenced by the filing of a bankruptcy petition (hereinafter “Petition”) on January 24, 2019.
2. PennyMac Loan Services, LLC (hereinafter “Creditor”) filed a purported proof of claim (Claim No. 7-1) in the amount of \$18,302.22 for mortgage arrears.
3. Debtor objects to Claim No.7.1 for the following reasons:
 - a. Pursuant to the mortgage statement from Creditor dated January 16, 2019 (attached hereto as Exhibit A) which was the statement issued immediately prior to the date of the filing of the Petition, the amount of past due payments was \$10,463.52 along with \$657.54 in late charges and an additional \$115.00 in other fees for a total of \$11,236.06.
 - b. It appears the discrepancy of Creditor’s claim is based upon an erroneous assertion that the County Tax for the real property is \$5,157.24 as set forth in Creditors Exhibit Escrow Statement. The current mileage rate for Chester County is 4.39. Based upon an assessed value of the property of \$203,450.00 the annual tax amount for Chester County is \$888.87 without applying any discount. It appears that the Creditor may have included all property taxes in the number for the county even though the Creditor separately accounted for the school district and township taxes.

- c. Further compounding this error, the Creditor has increased the monthly escrow payments by an additional \$286.03 which could be used to pay other creditors.

WHEREFORE, the Debtor respectfully requests that the Court: (1) Sustain the Debtors objection to the Creditor's proof of claim; (2) Reduce the claim to the appropriate amount; and (3) Grant any other such relief as the Court determines just and proper.

Dated: August 7, 2019.

/s/ Stephen Justin Davis

Pro Se Debtor

Email: sjustindavis@yahoo.com

**UNITED STATES BANKRUPTCY COURT
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In re: STEPHEN JUSTIN DAVIS	:	Chapter 13
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Debtor	:	Bky. No. 19-10424-MDC

ORDER

AND NOW, this _____ day of _____, 201_, having considered the debtor's Objection to creditor, PennyMac Loan Services, LLC's, proof of claim (Claim No. 7-1) in the amount of \$18,302.22, after a hearing thereon, it is hereby

ORDERED that debtor's objection is sustained, and PennyMac Loan Services, LLC's, proof of claim (Claim No. 7-1) is hereby reduced to \$11,236.06.

BY THE COURT

Magdeline D. Coleman
BANKRUPTCY JUDGE

cc:

U.S. Trustee:
Office of the U.S. Trustee
Eastern District of Pennsylvania
833 Chestnut Street, Suite 500
Philadelphia, PA 19107

Creditor's Attorney:
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